IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 250 of 2002

For Approval and Signature:

HON'BLE MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

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LAXMANBHAI KARSHANBHAI CHAUDHARI

Versus

KESHABHAI MADHABHAI CHAUDHARI

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Appearance:

1. Civil Revision Application No. 250 of 2002

MR MAHENDRA K PATEL for Petitioner No. 1-3

MR PK JANI for Respondent No. 1

NOTICE SERVED for Respondent No. 2

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CORAM : HON'BLE MR.JUSTICE P.B.MAJMUDAR

Date of decision: 11/02/2004

ORAL JUDGEMENT

By filing this revision application, the petitioners have challenged the order passed by the learned 3rd Extra Asst. Judge, Mehsana, and since the

proceedings are arising out of an interlocutory order, this civil revision application is not maintainable in view of the amendment made in Section 115 of the Civil Procedure Code. Hence, this civil revision application is disposed of as not maintainable. Rule is discharged.

It is however clarified that it will be open for the petitioners to file a substantive petition under Article 227 of the Constitution of India challenging the interim order passed by the trial court. For that purpose, the interim relief granted by this Court is extended till 1st March, 2004.

( P.B. Majmudar, J. )

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